

FILED

SEP 25 2023

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA

PRO SE PRISONER CIVIL RIGHTS COMPLAINT

BONNIE HACKLER  
Clerk, U.S. District Court

By Deputy Clerk

David Christopher Cys  
Plaintiff's full name (Please print)

v.

AMENDED

Case No. 23-CV-235-JFH-GLJ  
(To be filled out by Clerk's  
Office only)

Shanon Clark  
Defendant(s)' full name (Please print)

~~THE STATE~~ Christopher Cook

Dr. Jennifer Patchin

Kay Johnson

Oklmulgee County Criminal Justice Authority

For additional names please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Section IV, pursuant to Fed. R. Civ. P. 10(a).

NOTICE

Federal Rule of Civil Procedure 5.2 and Local Civil Rule 5.3 address the privacy and security concerns resulting from public access to electronic court files. Under these rules, papers filed with the court should not contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include only: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Each claim you raise must be properly exhausted. If the evidence shows that you did not fully comply with an available prison grievance process prior to filing this lawsuit, the court may dismiss the unexhausted claim(s) or grant judgment against you. See 42 U.S.C. 1997e(a).

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

**I. JURISDICTION**

Indicate below the federal legal basis for your claim, if known.

- ☒ 42 U.S.C. § 1983 (state, county, or municipal defendants)
- ☐ Action under *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971) (federal defendants)

**II. PLAINTIFF INFORMATION**

David Christopher Cys  
Full name

Aliases

OCCJA # 22123202 USM # 28762078  
Prisoner ID #

Okmulgee County Criminal Justice Authority  
Place of Detention/Incarnation

315 W 8th St  
Institutional Address

Okmulgee  
City

OK  
State

74447  
Zip Code

**III. PRISONER STATUS**

Indicate whether you are a prisoner or other confined person as follows:

- ☒ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☐ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner

## IV. DEFENDANT(S)' INFORMATION

List the following information for each defendant. If the correct information is not provided, it could result in the delay or prevention of service. Make sure that the defendant(s) listed below are identical to those contained on the first page. Attach additional sheets of paper as necessary. Do not write on the backs of any additional sheets. See Local Civil Rule 5.2(a).

Defendant 1:

Shannon  
~~Shannon~~ Clark  
 Full Name and CEO

Executive Director, OCCJA  
 Current Job Title

315 W 8th St  
 Current Work Address

Okmulgee OK 74447  
 City State Zip Code

Defendant 2:

~~ENH Cook~~ Christopher Cook  
 Full Name

Emr. Deputy Executive Director, OCCJA  
 Current Job Title

315 W 8th St  
 Current Work Address

Okmulgee OK 74447  
 City State Zip Code



Defendant 3:

Dr. Jennifer Patchin

Full Name

Contract Physician, OCCJA

Current Job Title

315 W 8th St

Current Work Address

Okmulgee

City

OK

State

74447

Zip Code

Defendant 4:

Kay Johnson

Full Name

Health Svcs Admin (HSA), OCCJA

Current Job Title

315 W 8th St

Current Work Address

Okmulgee

City

OK

State

74447

Zip Code

Defendant 5:

Okmulgee County Criminal Justice Authority

Full Name

c/o Shannon Clark, CEO, Exec. Director

Current Job Title

315 W 8th St

Current Work Address

Okmulgee

City

OK

State

74447

Zip Code

V. STATEMENT OF CLAIMS

A. Claim 1

Date(s) of occurrence: 04/06/2023 ~~cont~~ ongoing

Place(s) of occurrence: OCCJA

State which of your federal constitutional or federal statutory rights have been violated:

Deliberate Indifference to Serious Medical Needs

Briefly state the FACTS that support your case. Provide a short and plain statement of how each named defendant was personally involved in the violation of your constitutional rights and why you are entitled to relief from each named defendant. See Fed. R. Civ. P. 8(a). Do not cite case law.

FACTS: Defendants did knowingly and intentionally combine, conspire and agree with each other to violate Plaintiff's civil rights by refusing to administer Lyrica, for which Plaintiff has a valid prescription and had been taking for over 4 years prior to his arrival at OCCJA, resulting in the wanton infliction of pain ~~the~~<sup>BY</sup> failing to adequately treat the existence of chronic and substantial pain caused by  
B. Claim 2 Plaintiff's diabetic neuropathy.

Date(s) of occurrence: 04/06/2023 - ongoing

Place(s) of occurrence: OCCJA

State which of your federal constitutional or federal statutory rights have been violated:

Cruel and Unusual Punishment

FACTS: Identical to Claim #1

**C. Claim 3**

Date(s) of occurrence: 04/06/2023 - ongoing

Place(s) of occurrence: OCCJA

*State which of your federal constitutional or federal statutory rights have been violated:*

Deliberate Indifference to Serious Medical Needs

**FACTS:** Defendants did knowingly and intentionally combine, conspire, and agree with each other to violate Plaintiff's civil rights by refusing to allow Plaintiff to have in his possession the supportive footwear he brought with him, required due to his diabetic neuropathy, thereby disregarding an excessive risk to Plaintiff's health and safety.

**D. Claim 4**

Date(s) of occurrence: \_\_\_\_\_

Place(s) of occurrence: \_\_\_\_\_

*State which of your federal constitutional or federal statutory rights have been violated:*

**FACTS:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## VI. RELIEF REQUESTED

Briefly state what you want the Court to do for you. Do not make legal arguments or cite cases or statutes.

and OCCJA  
 Issue a TRD enjoining Defendants from engaging in further violations of Plaintiffs civil rights until this matter is settled. \$1,000 per day in compensatory damages. Twice the amount of compensatory damages in punitive damages. Upon Plaintiff prevailing in this matter, permanently enjoin Defendants and OCCJA from violating Plaintiffs and all other <sup>past</sup> ~~current~~ <sup>and</sup> future detainees' civil rights.

## VII. PRISONER'S LITIGATION HISTORY

The "Three Strikes Rule" bars a prisoner from bringing a civil action or an appeal in forma pauperis in federal court if the prisoner has "on three or more occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

Have you brought any other lawsuits in federal court while a prisoner? ☐ Yes ☒ No

If yes, how many? \_\_\_\_\_

Number each different lawsuit below and include the following:

- Name of case (including defendants' names), court, and docket number
- Nature of claim made
- How did it end? (For example, if it was dismissed, appealed, or is still pending, explain below.)
- Did the court assess a "Strike" or find the dismissal a "Prior Occasion" pursuant to 28 U.S.C. 1915 (g).

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**VIII. PLAINTIFF'S DECLARATIONS:**

I declare under penalty of perjury that the foregoing is true and correct. To the best of my knowledge, information, and belief, this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending or modifying existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11 of the Federal Rules of Civil Procedure.

I agree to provide the Court Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Court Clerk's Office may result in the dismissal of my case.

David Cyp  
Plaintiff's Signature

08/25/2023  
Date

I further declare under penalty of perjury that I placed this complaint in the prison's legal mail system, with the correct postage attached, on the 29 day of August, 2023.

David Cyp  
Plaintiff's Signature

08/29/2023  
Date